

RULE 63 (37 C.F.R. 1.63)
DECLARATION FOR PATENT APPLICATION
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

As a below named inventor, I hereby declare that my residence, post office address and citizenship are as stated below next to my name, and I believe I am the original, first and sole inventor (if only one name listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **NON-GELATIN CAPSULE SHELL FORMULATION** the specification of which (check applicable box(es)):

- ☒ is attached hereto.
☐ was filed on _____ as U.S. Application Serial No. _____
☐ was filed as PCT international application No. PCT/ _____ / _____ on _____ and (if applicable to U.S. or PCT application) was amended on _____

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a). I hereby claim foreign priority benefits under 35 U.S.C. 119/365 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed or, if no priority is claimed, before the filing date of this application:

Prior Foreign Application(s):		
Application Number	Country	Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application listed below:

Prior Provisional Application(s):	
Application Serial No.	Day/Month/Year Filed

I hereby claim the benefit under 35 U.S.C. 120/365 of all prior United States and PCT international applications listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in such prior application in the manner provided by the first paragraph of 35 U.S.C. 112, I acknowledge the duty to disclose material information as defined in 37 C.F.R. 1.56(a) which occurred between the filing date of the prior applications and the national or PCT international filing date of this application:

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

1)	Inventor's Signature <u>Linus G. Fonkwe</u>	Date	<u>12/21/2001</u>
	Inventor's Name (typed)		
	Linus G. Fonkwe		Cameroon
	First Middle Initial Family Name		Citizenship
	Residence (City)	State/Foreign Country)	NC USA
	High Point		
	Post Office Address	Zip Code	27265
	3981 River Pointe Place, Apt. 111 <u>3235 DERBY</u> <u>CIRCLE</u>		
2)	Inventor's Signature	Date	
	Inventor's Name (typed)		
	Don A. Archibald		USA
	First Middle Initial Family Name		Citizenship
	Residence (City)	State/Foreign Country)	NC USA
	Jamestown		
	Post Office Address	Zip Code	27282
	4 Havershire Ct		
3)	Inventor's Signature	Date	
	Inventor's Name (typed)		
	Aristippos Gennadios		Greece
	First Middle Initial Family Name		Citizenship
	Residence (City)	State/Foreign Country)	NC USA
	Greensboro		
	Post Office Address	Zip Code	27407-5110
	17 Topridge Court		

FOR ADDITIONAL INVENTORS, check box ☒ and attach sheet with same information and signature and date for each.

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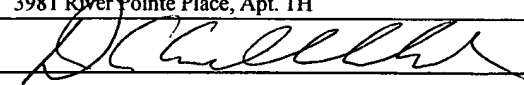
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1)	Inventor's Signature _____	Date _____	
	Inventor's Name (typed) <u>Linus G. Fonkwe</u>		Cameroon
	First Middle Initial Family Name		Citizenship
	Residence (City) <u>High Point</u>	State/Foreign Country) <u>NC</u>	<u>USA</u>
	Post Office Address <u>3981 River Pointe Place, Apt. 1H</u>	Zip Code <u>27265</u>	
2)	Inventor's Signature 	Date <u>1/2/2002</u>	
	Inventor's Name (typed) <u>Don A. Archibald</u>		USA
	First Middle Initial Family Name		Citizenship
	Residence (City) <u>Jamestown</u>	State/Foreign Country) <u>NC</u>	<u>USA</u>
	Post Office Address <u>4 Havershire Ct</u>	Zip Code <u>27282</u>	
3)	Inventor's Signature _____	Date _____	
	Inventor's Name (typed) <u>Aristippos Gennadios</u>		Greece
	First Middle Initial Family Name		Citizenship
	Residence (City) <u>Greensboro</u>	State/Foreign Country) <u>NC</u>	<u>USA</u>
	Post Office Address <u>17 Topridge Court</u>	Zip Code <u>27407-5110</u>	

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	First Middle Initial Family Name		Citizenship
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	First Middle Initial Family Name		Citizenship
	Residence (City) <u>Jamestown</u>	State/Foreign Country) <u>NC USA</u>	
	Post Office Address <u>4 Havershire Ct</u>	Zip Code <u>27282</u>	
3)	Inventor's Signature <u>Aristippos Gennadios</u>	Date <u>12/21/2001</u>	
	Inventor's Name (typed) <u>Aristippos Gennadios</u>		<u>Greece</u>
	First Middle Initial Family Name		Citizenship
	Residence (City) <u>Greensboro</u>	State/Foreign Country) <u>NC USA</u>	
	Post Office Address <u>17 Topridge Court</u>	Zip Code <u>27407-5110</u>	

FOR ADDITIONAL INVENTORS, check box ☒ and attach sheet with same information and signature and date for each.

(4/98)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Fonkwe, et al.
For: NON-GELATIN CAPSULE SHELL FORMULATION
Filed concurrently herewith.
Serial Number to be assigned.

Commissioner for Patents
Washington, D.C. 20231

POWER OF ATTORNEY

Sir:

The undersigned, assignee of the entire interest in and to an application of Linus G. Fonkwe, Don A. Archibald, and Aristippos Gennadios for U.S. Letters Patent for a NON-GELATIN CAPSULE SHELL FORMULATION, by assignment documents being recorded contemporaneously herewith, hereby appoints: LOUIS T. ISAF Reg. No. 29,078; JAMES F. VAUGHAN Reg. No. 31,889; STEVEN D. KERR Reg. No. 32,472; D. SCOTT SUDDERTH Reg. No. 34,026; MICHAEL A. CICERO Reg. No. 34,562; JOHN J. TIMAR Reg. No. 32,497; STEVEN L. SCHMID Reg. No. 39,358; DAVID J. HAYZER Reg. No. 43,329; DAVID S. BRADIN Reg. No. 37,783; JACQUELYN D. AUSTIN Reg. No. 43,478; CARL B. MASSEY, JR. Reg. No. 44,224; BRIAN J. HAIRSTON Reg. No. 46,750; THOMAS B. MCGURK, Reg. No. 44,920; KATHLEEN NEUNER MANNE, Reg. No. 40,101; WILLIAM A. CAPP, Reg. No. P-49,037; C. ROBERT RHODES, Reg. No. 24,200; JACK B. HICKS, Reg. No. 34,180; JEFFREY R. MCFADDEN, Reg. No. 46,916; LEWIS S. ROWELL, Reg. No. 45,469; and CRAIG H. POPALIS Reg. No. 49,028, with the firm of Womble Carlyle Sandridge & Rice, PLLC, as my attorneys and/or agents with full power of substitution and revocation, to prosecute

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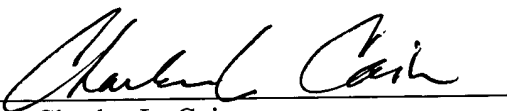
this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the Patent and Trademark Office connected therewith.

Furthermore, in accordance with 37 CFR '3.73(b), the undersigned hereby states that the documentary evidence of a chain of title from the original owner to the assignee, i.e. assignment document referenced above, has been reviewed and the undersigned certifies that, to the best of assignee's knowledge and belief, title is in assignee who seeks to prosecute this application.

PLEASE ADDRESS ALL COMMUNICATIONS AND TELEPHONE CALLS TO:

Jack B. Hicks, Esq.
Womble Carlyle Sandridge & Rice, PLLC
300 N. Greene Street
Suite 1900
Greensboro, NC 27401
Tel: 336-574-8050

BANNER PHARMACAPS, INC.

By: 
Charles L. Cain
Senior Vice President, Legal and Public Affairs

Date: 1/4/02

Attorney File No.: 4700-083 (04700.467.4)

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